

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014

RECEIVED
SEP 22 2003
HARFORD COUNTY COMMISSION

Case No. 5375
Date Filed 9-12-03
Hearing Date _____
Receipt _____
Fee \$450.00

Shaded Areas for Office Use Only

Type of Application	Nature of Request and Section(s) of Code
<input type="checkbox"/> Administrative Decision/Interpretation	CASE 5375 MAP 56 TYPE Variance
<input type="checkbox"/> Special Exception	
<input type="checkbox"/> Use Variance	ELECTION DISTRICT 1 LOCATION 2236 Gelding Way, Bel Air, Md. 21015
<input type="checkbox"/> Change/Extension of Non-Conforming Use	BY Jon P. & Mary Pat Koscher
<input type="checkbox"/> Minor Area Variance	Appealed because a variance pursuant to Section 267-26C(6) of the Harford County Code to permit
<input type="checkbox"/> Area Variance	a portion of an accessory use swimming pool to be located within a recorded easement area in a R2
<input checked="" type="checkbox"/> Variance from Requirements of the Code	District requires approval by the Board.
<input type="checkbox"/> Zoning Map/Drafting Correction	

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Applicant/Owner (please print or type)

Name Jon P. Koscher Phone Number call attorney

Address 2236 Gelding Way, Bel Air, MD 21015
Street Number Street City State Zip Code

Co-Applicant Mary Pat Koscher Phone Number call attorney

Address 2236 Gelding Way, Bel Air, MD 21015
Street Number Street City State Zip Code

Contract Purchaser N/A Phone Number _____

Address _____
Street Number Street City State Zip Code

Attorney/Representative John J. Gessner Phone Number 410-893-7500

Address 11 S. Main Street, Bel Air, MD 21014
Street Number Street City State Zip Code

Hearing: 11/5/03

Land Description

Address and Location of Property 2236 Gelding Way

Hunter's Run Sl PT 80/27

Subdivision Hunter's Run Lot Number 28

Acreage/Lot Size 9757 SF Election District 01 Zoning R2

Tax Map No. 56 Grid No. 2E Parcel 581 Water/Sewer: Private _____ Public X

List ALL structures on property and current use: residential 2 story dwelling; inground

swimming Pool

Estimated time required to present case: 15 minutes

If this Appeal is in reference to a Building Permit, state number N/A

Would approval of this petition violate the covenants and restrictions for your property? No

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No X

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No X

Is this request within one (1) mile of any incorporated town limits? Yes _____ No X

Request

See attached

Justification

See attached

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

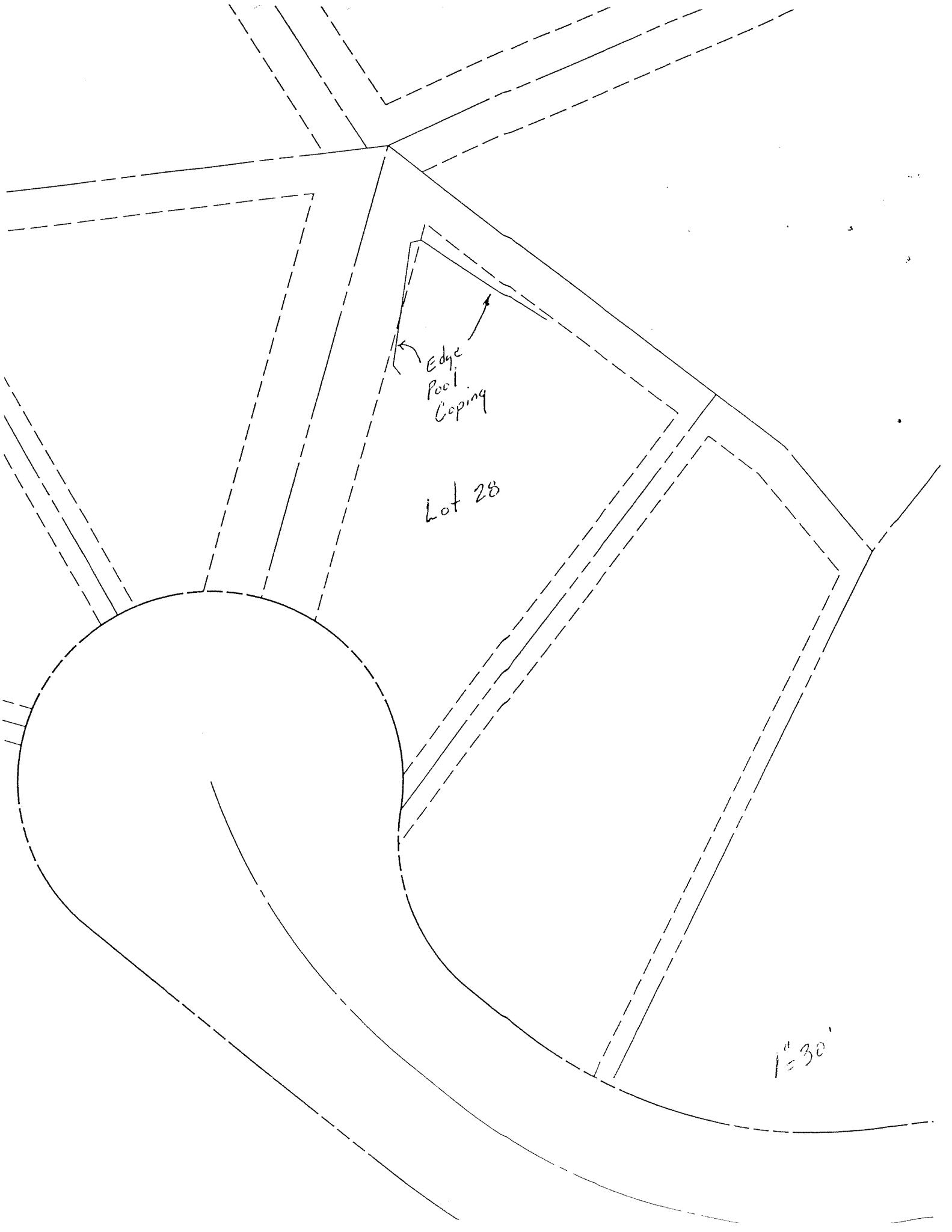
ATTACHMENT TO THE APPLICATION OF
JON P. KOSCHER AND MARY PAT KOSCHER

REQUEST:

A variance pursuant to Section 267-11 of the Harford County Zoning Code ("Code") from the provisions of Section 267-26(C) (6) of the Code to permit a portion of an accessory use swimming pool to be located within a recorded easement area on the subject property, zoned R2, Urban Residential, as shown on the attached site plan.

JUSTIFICATION:

By reason of the uniqueness of the property or topographical conditions, the literal enforcement of the Code would result in practical difficulty to the applicant. Granting the requested variance will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

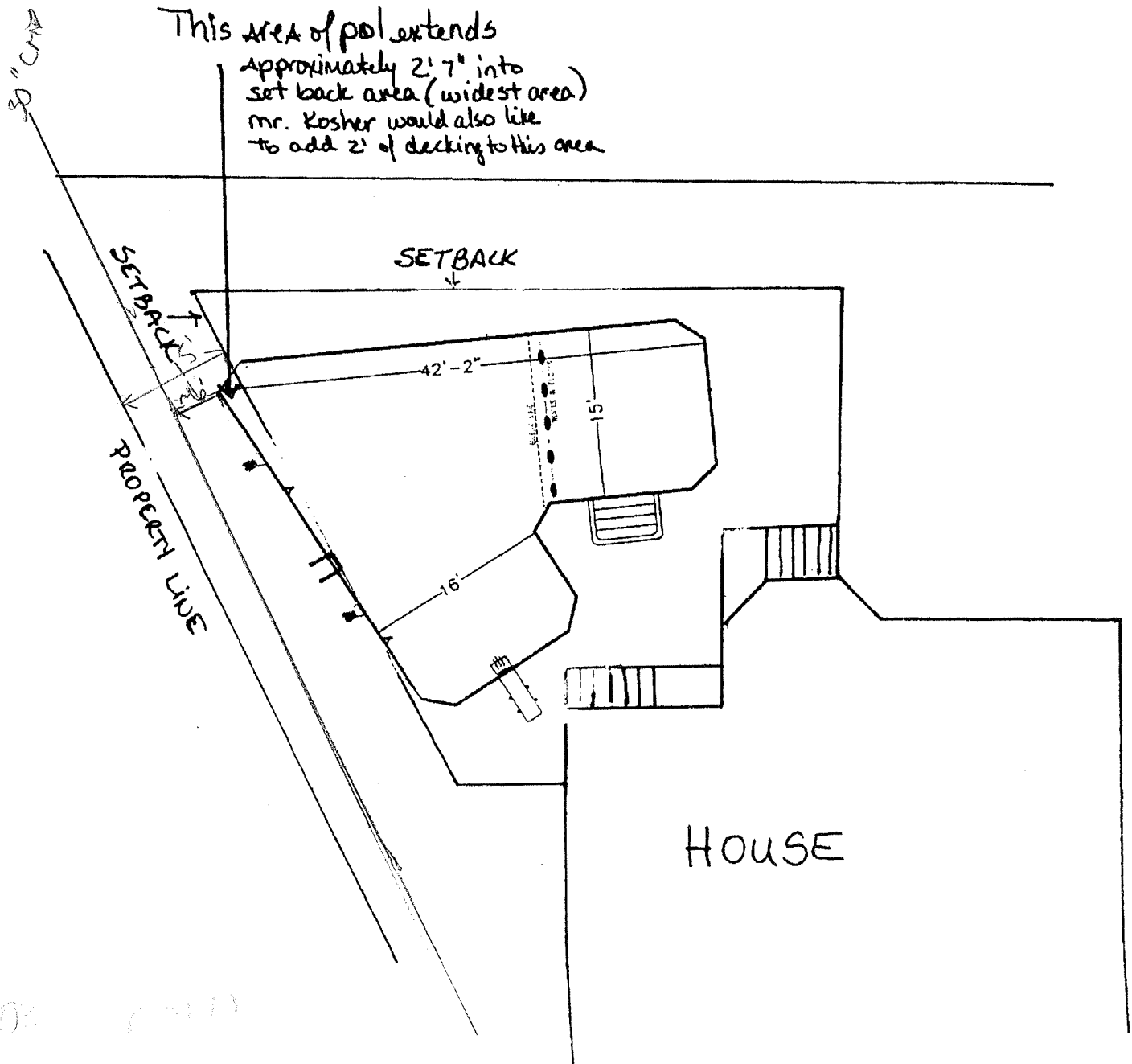


Edge
Pool
Coping

Lot 28

1"=30'

Homeowner: Mr. Kosher
2236 Guldin Way
Belair, Md. 2015



RAPID MEMO

ZONING VARIANCE REQUEST

RECEIVED

2003 AUG 7

TO TESS CONZEMAN
PLANNING & ZONING

FILED

DATE

8-6-03

SUBJECT

2236 GELDING WAY - POOL
IN DTU EASEMENT

A POOL WAS CONSTRUCTED AT THE ABOVE REFERENCED ADDRESS AND ENCROACHES INTO THE DRAINAGE AND UTILITY EASEMENT ALONG THE EASTERN PROPERTY LINE. THERE IS A 30" STORM DRAIN PIPE LOCATED WITHIN THE EASEMENT. THEREFORE, THE ONLY WAY THAT THE POOL CAN REMAIN IN THE EASEMENT IS IF A LEGAL DOCUMENT IS PREPARED HOLDING THE COUNTY BLAMELESS IF ANY DAMAGE OCCURS TO THE POOL WHEN AND IF THE STORM DRAIN PIPE IS REPLACED OR REPAIRED.

CHERYL BANNAN
DEPT. OF PUBLIC WORKS